

Implementation of the Groundwater GIS Registry and How it May Affect Site Closure

GIS REGISTRY FOR GROUNDWATER

The Groundwater GIS Registry **for sites with groundwater contamination exceeding enforcement standards** was promulgated and went into effect November 1, 2001. The most significant impact on site owners is the change in the requirement to record a groundwater use restriction on the property deed at the County Register of Deeds office. The new requirement places these sites on the GIS Registry of Closed Remediation Sites.

Responsible Parties who received a conditional closure letter prior to November 1, 2001, still have the option of recording the groundwater use restriction on their deed at their own cost (these costs are not PECFA eligible). However, their site will be placed on the Registry of Closed Remediation Sites by the DNR regardless, and DNR will assess a fee of \$250 for management of the GIS Registry of Closed Remediation Sites. Please note that this fee must be paid to the **DNR**, and will be required for sites which are closed under the administrative authority of DNR, Commerce, or DATCP.

With the change in rule came a change in the submittal review process. The GIS fee payment confirmation on DNR's BRRTS tracking system will alert Commerce to begin reviewing the case closure request. [Note: Previously, Commerce had indicated that a paper receipt from DNR was required of the responsible party **along with** the case closure request. This paper receipt is no longer required.]

IMPACTS ON ADJACENT PROPERTIES

If groundwater contamination from the site has impacted any adjacent properties at concentrations above the enforcement standards, the responsible party must send a notification letter to the affected property owners. This notification must include DNR's Natural Attenuation Factsheet, and a statement that 1) the site is pending closure, 2) that groundwater contamination exists on their property from this tank system (and in what concentrations), and 3) that each of the affected properties will be listed on the GIS Registry of Closed Remediation Sites. Adjacent property owners then have 30 days to alert the agency with administrative authority that they will be providing additional information prior to review of the closure submittal. The agency will not review these sites for final closure until we can confirm that the affected property owners have been notified, and that 30 days has elapsed with no contact from any affected property owner. Responsible parties will need to attach a copy of the notification letter(s) to each of the impacted properties with their closure submittal

PROPOSED GIS REGISTRY FOR SOILS

A GIS Registry for Soils similar to the Groundwater GIS Registry is proposed. A draft rule has been prepared by the Department of Natural Resources, in coordination with the Department of Commerce, and is available on DNR's website. This proposed rule will replace the majority of deed notices that are required at the present time. However, deed restrictions will continue to be necessary for sites requiring performance standards. The rule will clarify the use of deed notices and restrictions for properties where residual soil contamination remains in place after final site closure and will require notification on the GIS Soil Registry. DNR will assess a fee of \$200 for management of the GIS Registry for Soils, payable to DNR. This fee is required for sites which are closed under the administrative authority of either DNR or Commerce.

Written comments for the proposed GIS Registry for Soils may be submitted through February 1, 2002. Public Hearings for the proposed GIS Registry for Soils are scheduled for January 16, 2002 via videoconferencing at the following locations:

Eau Claire:	State Office Bldg, 718 W. Clairmont Ave, Room 139
Green Bay:	State Office Bldg, 200 N. Jefferson St, Room 618
Madison:	GEF 2, 101 South Webster St, Room 021
Milwaukee:	State Office Bldg, 819 N. 6 th Street, Room 542
Rhineland:	DNR Regional Headquarters, 107 Sutliff Ave, Room 3
Spooner:	DNR Regional Headquarters, 810 W. Maple, lower level

If you have any questions or are in need of additional information, feel free to contact me or my staff in the Site Review Section at any time.

Lori Huntoon, Chief of the PECFA Site Review Section